

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 4

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January 28, 2022

Curt Taylor
Dunn Mine and C&D Facility
209 Partition Street Extension
Rensselaer, NY 12144
Curtis.taylor@wasteconnections.com
Document transmitted electronically

RE: **Notice of Incomplete Application**
S.A. Dunn Mine and C&D Facility
DEC #4-3899-00006
Part 360 Permit Renewal and Modification
MLR Permit Renewal and Modification

Curt Taylor,

On January 14, 2022, the Department received applications to renew and modify the Part 360 Solid Waste permit and Mined Land Reclamation permit for the above-referenced facility. Upon review of the submitted materials, the Department has determined that the applications are incomplete, and the following items must be addressed:

Environmental Justice Public Participation Plan –

Section 5.0 S.A. Dunn Contacts – Please include an email address and phone number where the facility contact can be reached. Please also add the Dunn facility website. Please clarify whether the public should be directed to use the “contact us” button on the public website to submit comments on this proposal, or whether public comments should be submitted to a specific email address for Curt Taylor.

Section 6.0 Stakeholders – Please expand the description of stakeholders to include local environmental groups and residents at large. The type of information that stakeholders will receive, and with what frequency, should be expanded upon. It should be noted that the facility will keep an updated stakeholder list which will be available upon Department request at any time. As noted in Section 10.0, please clarify that updated stakeholder lists will be included in the progress reports submitted to the Department.

Section 7.0 Distribution and Posting of Written Information – Please update Section 7.0 to specify that residents and businesses within a one-mile radius from the center of the facility, plus those residences and businesses along the truck route from Partition Street Extension to Dunn Memorial Bridge will be mailed a notification of the public meetings and instructions on how to participate. If desired, this can be accomplished using the US Postal Service Every Door Direct Mail Service which allows post card mailers to be delivered within a specified geographic area. Please update the Public Participation Plan with a map of the one-mile radius and truck route residents and businesses to which the mailers will be distributed. Please clarify the timeline for distribution of the fact sheet and meeting notice to the public. (For example, three weeks prior to the public meeting a post card mailer will be sent to the identified stakeholders in addition to those residences identified on the truck route to and from the facility; two weeks prior to the public meeting the fact sheet and meeting flyer will be distributed to the same parties that received the post card mailer.) The written fact sheet and meeting flyer should



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also be hung on public information boards in the local public library and town hall.

Section 8.0 Public Information Meeting – It should be noted that additional public meetings may be required by the Department if determined to be necessary. Please update the first paragraph to specify that the first public meeting will be held after the Department approves the Public Participation Plan and before the applications can be deemed complete.

The Notifications subsection should be updated to include the same timeline for distribution of the fact sheet and meeting notice to the public, in addition to a timeline for availability of the application documents on the facility website. Please specify the newspapers that will contain public notice of the meetings or cite the stakeholder list.

The Location subsection should be updated to include specific information on the location where the public meetings will be held. Please include ADA accessibility of these locations as well as information on whether the locations are accessible by public transportation. The virtual platform for the video conference portion should have recording abilities. The virtual meetings should be the same length and run simultaneously with the in-person meetings, including Q&A sessions that may extend beyond the facility presentation. Responses to questions asked during the in-person meeting as well as during the virtual meeting (usually by using a “chat” feature) should be addressed in writing by the facility in a timely manner and added to the website and public repositories.

Section 11.0 Final Report – This section should be revised to note that the final report will be submitted to the Department prior to a final decision being made on the permit applications and should remove all reference to approval of the permits.

Appendix A Stakeholder List – The following individuals, organizations and media outlets must be included:

Mr. Joseph Kardash, Rensselaer City School Superintendent
Parent Teacher Association, Rensselaer City School District
Rensselaer Senior Citizens Center, 50 Herrick St. Rensselaer

Mr. Brian Stall, County Legislature

Mr. Robert Welton, Rensselaer Environmental Coalition

Rensselaer Boys and Girls Club

St. Paul’s Center, 947 3rd St. Rensselaer

Rensselaer Public Library

All churches located within the identified Environmental Justice area

The Advertiser, 645 Shaker Rd. Albany NY 12211

Appendix C Draft Public Meeting Notice – Please expand upon how public comments can be provided during the public information meeting (ie. written, verbally, using the “chat” feature on the virtual platform, etc.). Please delete the fax number from the DEC contact line. Please add an email address for Curt Taylor, or the email address to which public comments should be directed.

The Solid Waste and Mined Land Reclamation permit applications will remain in an incomplete status until after the first Environmental Justice Public Participation Meeting has been held and all Department comments have been addressed.

Please feel free to contact me at kate.kornak@dec.ny.gov with questions.

Sincerely,



Kate Kornak
Regional Permit Administrator

cc: Amy Knight, CEC Inc. aknight@cec.com
Jeff Burrier, Waste Connections Jeffery.burrier@wasteconnections.com
Corey Judd, Waste Connections Corey.judd@wasteconnections.com
Alanah Keddell-Tuckey, NYSDEC OEJ
Jon Whitcomb, NYSDEC DMM
Psalm Wyckoff, NYSDEC MLR
Carrie Buetow, NYSDEC DOW
File